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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,390	07/17/2003	Jen-Shou Tseng	9585-0050	1389
73552	7590	12/12/2007	EXAMINER	
Stolowitz Ford Cowger LLP			CHAN, KO HUNG	
621 SW Morrison St			ART UNIT	
Suite 600			PAPER NUMBER	
Portland, OR 97205			3632	
			MAIL DATE	DELIVERY MODE
			12/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/604,390	TSENG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Korie H. Chan	3632	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,6,9-11,13-15,18,21,22,25,26,28,29,34,35 and 37-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,9-11,13-15,18,21,22,25,26,28,29,34,35 and 37-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/16/2007 has been entered.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

Claims 1-3, 26, 28, 29, 34, 37, 38, 41, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art (as provided in applicant's own specification and as shown in applicant's figures 1A-1B and herein referred to as "PA") in view of Crowell et al (US patent no. 5,804,832). PA discloses a scanner with a case body (102) for a platform (110) of glass or acrylic resin as disclosed in applicant's specification comprising: a housing (102) having an opening on which the platform is placed, and one or more support elements (112) mounted on interior walls of the housing, at least one of the support elements comprising: a supporting surface (flat horizontal ledge of 112) on a top of each support element configured to contact the platform; and an absorbing body (the lower vertical section of 112 inherently shares the stress or weight received by the

supporting surface or the flat horizontal ledge of 112 since it is supporting the ledge) located beneath the supporting surface configured to share a stress received by the supporting surface in response to an external force; wherein the support element is located along a periphery of the platform. However, PA does not disclose the absorbing body is of the compressively deformable. Such compressively deformable shock absorber is usually of the rubber type. Such rubber type shock absorber are conventional and well-known in the art of shock absorbers. Crowell teaches in a device having a platform (44) supported by shock absorber (40) of rubber type. It would have been obvious to one of ordinary skill in the art to have modify the support of PA by providing rubber type shock absorber as such is old and well-known for absorbing shock in instruments as demonstrated by Crowell. Regarding claims 26 and 29, the flatbed scanner of PA is conventionally supported on a table or stand.

Claims 6, 11, 13-15, 18, 21, 25, 35, 39, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art (as provided in applicant's own specification and as shown in applicant's figures 1A-1B and herein referred to as "PA") in view of Crowell et al (US patent no. 5,804,832) as applied to claims 1, 34, 37, and 41 above and further in view of Endo (US patent no. 6,472,825). PA and Crowell combined disclosed all the claimed features of applicant's invention except for an absorbing body having an inclined beam and a curved portion. Having inclined beam in shock absorbers are known to provide more flexing in the shock absorbers. Endo teaches a device (figure 2) with a shock absorber (8b) having curved portion or surface beam (upper curl of 8b engaging the plate, figure 2) and an inclined portion (lead line of 8b is

touching the incline, figure 2). It would have been obvious to one of ordinary skill in the art to have modify the shock absorber of PA and Crowell combined such that a curved portion and inclined portion are provided as taught by Endo for the well-known advantage of increasing flexure of the shock absorbing body.

Claims 9, 10, 22, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art (as provided in applicant's own specification and as shown in applicant's figures 1A-1B and herein referred to as "PA") in view of Crowell et al (US patent no. 5,804,832) and Endo (US patent no. 6,472,825) as applied to claims 1, 6, 21, 37, 40, and 41 above and further in view of Rohee (US patent no. 5,224,781). PA and Crowell and Endo combined disclosed all the claimed features of applicant's invention except for the absorbing body is of "5" shaped. Rohee demonstrates it is old and well-known to make an absorbing body of a "5" shaped. To modify the absorbing body of PA, Crowell and Endo combined such that the absorbing body is of "5" shaped would have been a matter of obvious design choice and is demonstrated by Rohee.

### ***Response to Arguments***

Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Korie H. Chan whose telephone number is 571-272-6816. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571)272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Korie H. Chan/  
Korie H. Chan, Primary Examiner  
Art Unit 3632

khc  
December 4, 2007